

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

JONATHAN MONSARRAT,

Plaintiff,

v.

BRIAN ZAIGER,

Defendant.

CIVIL ACTION NO.
1:17-cv-10356-PBS

**NOTICE OF WITHDRAWAL
OF APPEARANCE**

NOW COME Attorneys Marc Randazza and Jay Wolman of Randazza Legal Group, PLLC, and pursuant to Local Rule 83.5.2(d) hereby give notice of their withdrawal of appearance on behalf of Defendant/Plaintiff-in-Counterclaim Brian Zaiger in the above-captioned matter. Leave to withdraw was allowed under Local Rule 83.5.2(c)(2) of the Local Rules of the United States District Court for the District of Massachusetts. See Dkt. No. 135. Such leave was permitted:

on the condition that, within one week, Attorney Wolman mail his file to defendant, return receipt requested. Included in that mailing must also be a current copy of the docket sheet, highlighting the Status Conference set for 18 June 2018.

Id. As set forth in the accompanying declaration:

- (1) the file was mailed to defendant, return receipt requested, on 25 May 2018;¹

¹ As a caveat to the foregoing, omitted from the mailing was a copy of certain documents received from non-party Hannah Spierman nee Rosenbaum, produced to counsel pursuant to an Attorneys' Eyes Only agreement, a requirement of her settlement with Plaintiff. Specifically, the withheld documents are the Exhibits A & B referenced in Ms. Spierman's affidavit, Dkt. No. 82-5, and are otherwise subject to the pending Motion to Compel, Dkt. No. 81. Counsel for Ms. Spierman does not believe the Order permits such disclosure. Request has been made of Plaintiff for consent to disclose those documents to Mr. Zaiger, but Plaintiff does not yet consent. Notably, Plaintiff did produce the settlement

(2) included in that mailing was a then-current copy of the docket sheet, highlighting the Status Conference set for 18 June 2018.

See attached hereto as Exhibit A, Declaration of Jay M. Wolman.

WHEREFORE Attorneys Marc Randazza and Jay Wolman of Randazza Legal Group, PLLC, hereby withdraw their appearances in this matter.

Dated: May 25, 2018.

Respectfully submitted,

/s/ Marc J. Randazza

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agreement and affidavit themselves, which would otherwise be subject to the Attorneys' Eyes Only requirement, but such production by Plaintiff (as opposed to that from Ms. Spierman) was without any restriction. Thus, those documents, as produced by Plaintiff, will be delivered to Mr. Zaiger consistent with the Order.

Mr. Zaiger will not suffer any prejudice by the withholding of Exhibits A & B at this time. If the Court allows the Motion to Compel, in relevant part, such would be produced by Plaintiff directly to him; if the Court denies it, then such would mean he was not otherwise entitled to a copy.

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on May 25, 2018. I further certify that a true and correct copy of the foregoing document is being served via USPS first class mail and electronic mail to:

Brian Zaiger
4 Davis Street, Apt. 3
Beverly, Massachusetts 01915

/s/ Marc J. Randazza
Marc J. Randazza